

# HOUSE BILL No. 1979

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-15-11; IC 13-18; IC 13-20-21; IC 13-22.

**Synopsis:** IDEM fee increases. Increases certain department of environmental management (IDEM) fees. Restates certain definitions.

**Effective:** January 1, 2004; July 1, 2004; January 1, 2005.

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**Welch, Klinker, Reske, Whetstone**

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January 23, 2003, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1979

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A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 13-11-2-1.5, AS AMENDED BY P.L.1-2001,  
2       SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JANUARY 1, 2004]: Sec. 1.5. "Acute hazardous waste", for purposes  
4       of **IC 13-11-2-117.5, and** IC 13-22-4-3.1, has the meaning set forth in  
5       40 CFR Part 261.

6       SECTION 2. IC 13-11-2-35.5 IS ADDED TO THE INDIANA  
7       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
8       [EFFECTIVE JANUARY 1, 2004]: **Sec. 35.5. "Community water**  
9       **system", for purposes of IC 13-18-20.5, means a public water**  
10      **system that serves at least fifteen (15) service connections used by**  
11      **year-round residents or regularly serves at least twenty-five (25)**  
12      **year-round residents.**

13      SECTION 3. IC 13-11-2-89 IS AMENDED TO READ AS  
14      FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 89. (a)  
15      "Generator", for purposes of ~~IC 13-22-12~~, means a person that, during  
16      the preceding year, generated hazardous waste in quantities greater  
17      than:



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(1) ~~one thousand (1,000) kilograms of hazardous waste; or~~

(2) ~~one (1) kilogram of acutely toxic waste in any month.~~

(b) "Generator", for purposes of IC 13-29-1, means a person who produces or possesses low-level radioactive waste in the course of or incident to manufacturing, power generation, processing, medical diagnosis and treatment, research, or other industrial or commercial activity and who, to the extent required by law, is licensed by the United States Nuclear Regulatory Commission or a party state to produce or possess such waste. The term does not include a person who provides a service by arranging for the collection, transportation, treatment, storage, or disposal of wastes generated outside the region.

SECTION 4. IC 13-11-2-117.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: **Sec. 117.5. "Large quantity generator", for purposes of IC 13-22-4-3.1 and IC 13-22-12-3, means a person, by site, that:**

(1) generates:

(A) **one thousand (1,000) kilograms or more of hazardous waste; or**

(B) **more than one (1) kilogram of acute hazardous waste; or**

(C) **more than one hundred (100) kilograms of spill cleanup material contaminated with acute hazardous waste;**

**in any one (1) or more calendar months of a calendar year; or**

(2) accumulates:

(A) **more than one (1) kilogram of acute hazardous waste; or**

(B) **more than one hundred (100) kilograms of spill cleanup material contaminated with acute hazardous waste;**

**at any time during the year.**

SECTION 5. IC 13-11-2-142.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: **Sec. 142.7. "Nontransient noncommunity water system", for purposes of IC 13-18-20.5, means a public water system that is not a community water system that regularly serves the same twenty-five (25) or more persons at least six (6) months per year.**

SECTION 6. IC 13-11-2-177.3, AS AMENDED BY P.L.184-2002, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: **Sec. 177.3. "Public water system", for purposes of this chapter, IC 13-18-11, IC 13-18-20.5, IC 13-18-21, and other**



environmental management laws, has the meaning set forth in 42 U.S.C. 300f.

SECTION 7. IC 13-11-2-202.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005]: **Sec. 202.5. (a) "Significant industrial user" for purposes of IC 13-18-20-11 means the following:**

(1) An industrial user subject to categorical pretreatment standards under 327 IAC 5-18-10.

(2) An industrial user that:

(A) discharges an average of at least twenty-five thousand (25,000) gallons per day of process wastewater (excluding

sanitary, noncontact cooling and boiler blowdown wastewater) to publicly owned treatment works (POTW);

(B) contributes a process wastestream that makes up at least five percent (5%) of the average dry weather hydraulic or organic capacity of the publicly owned treatment works (POTW) plant; or

(C) is designated as a significant industrial user by the control authority on the basis that the industrial user has a reasonable potential to:

(i) adversely affect the publicly owned treatment works' (POTW) operation;

(ii) violate a pretreatment standard; or

(iii) violate a requirement of 327 IAC 5-19-3.

(b) A control authority may, on its own initiative or in response to a petition received from an industrial user or a publicly owned treatment works (POTW) and in accordance with 327 IAC 5-19-3(6), determine that an industrial user is not a significant industrial user if it does not meet subsection (a)(2)(C).

SECTION 8. IC 13-11-2-204.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: **Sec. 204.5. "Small quantity generator", for purposes of IC 13-22-4-3.1 and IC 13-22-12-3, means a person, by site, that generates:**

(1) more than one hundred (100) kilograms but less than one thousand (1,000) kilograms of hazardous waste in any one (1) or more calendar months of a calendar year; or

(2) accumulates more than one thousand (1,000) kilograms of hazardous waste at any time during the year.

SECTION 9. IC 13-11-2-237.5, AS AMENDED BY P.L.1-2001, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JANUARY 1, 2004]: Sec. 237.5. "Transient noncommunity water system", for purposes of IC 13-18-11 **and IC 13-18-20.5**, means a noncommunity water system that does not regularly serve at least twenty-five (25) of the same persons over six (6) months per year.

SECTION 10. IC 13-15-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 1. The environmental management permit operation fund is established for the purpose of providing money for permitting and directly associated activities of the **following programs of the department:**

(1) National Pollutant Discharge Elimination System **program including storm water permits.**

(2) Solid waste **and program.**

(3) Hazardous waste **programs of the department and the boards: program.**

**(4) Safe drinking water program.**

SECTION 11. IC 13-15-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 3. The fund consists of fees and delinquent charges collected under the following:

(1) IC 13-18-20.

(2) **IC 13-18-20.5**

(3) IC 13-20-21.

~~(3)~~ **(4)** IC 13-22-12.

SECTION 12. IC 13-18-20-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 2. For industrial permits, other than coal mine permits or stone quarry permits, the annual base fee per facility is:

(1) ~~one thousand~~ **one thousand two hundred** dollars ~~(\$1,000)~~ **(\$1,200)** for a major permit; and

(2) four hundred ~~eighty~~ **eighty** dollars ~~(\$400)~~ **(\$480)** for a minor permit; plus the following annual discharge flow fee per facility:

Daily Average Actual

Flow in MGD

Fee

.001 - .05

~~\$240~~ **\$288**

.051 - .1

~~\$360~~ **\$432**

.101 - .2

~~\$840~~ **\$1,008**

.201 - .3

~~\$1,200~~ **\$1,440**

.301 - .5

~~\$1,680~~ **\$2,016**

.501 - 1.0

~~\$2,060~~ **\$2,472**

1.001 - 2.0

~~\$3,600~~ **\$4,320**

2.001 - 5.0

~~\$5,400~~ **\$6,480**

5.001 - 10.0

~~\$8,400~~ **\$10,080**

10.001 - 15.0

~~\$12,000~~ **\$14,400**



1	15.001 - 30.0	<del>\$16,800</del> <b>\$20,160</b>
2	30.001 - 50.0	<del>\$22,800</del> <b>\$27,360</b>
3	50.001 - 100.0	<del>\$28,800</del> <b>\$34,560</b>
4	> 100.0	<del>\$34,800</del> <b>\$41,760</b>
5	Annual flow fees are reduced by twenty percent (20%) for discharges	
6	that are comprised of greater than ninety percent (90%) of non-contact	
7	cooling water.	
8	SECTION 13. IC 13-18-20-3 IS AMENDED TO READ AS	
9	FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 3. Each facility	
10	for which a coal mine operator files a notice of intent under the general	
11	coal mine permit rules adopted under IC 13-18-18 shall pay an annual	
12	fee of <del>five six</del> hundred dollars ( <del>\$500</del> ) ( <b>\$600</b> ) instead of the following	
13	individual permit fees. The annual fee must accompany the initial	
14	notice of intent and is due each year on the anniversary date of the date	
15	when the initial notice of intent was filed.	
16	Outfalls	Fee
17	1 Outfall	<del>\$500</del> <b>\$600</b>
18	2-3 Outfalls	<del>\$750</del> <b>\$900</b>
19	4-6 Outfalls	<del>\$1,000</del> <b>\$1,200</b>
20	7-10 Outfalls	<del>\$1,500</del> <b>\$1,800</b>
21	11-20 Outfalls	<del>\$2,500</del> <b>\$3,000</b>
22	21-99 Outfalls	<del>\$3,500</del> <b>\$4,200</b>
23	SECTION 14. IC 13-18-20-4 IS AMENDED TO READ AS	
24	FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 4. For stone	
25	quarry permits, the annual fee is as follows:	
26	Outfalls	Fee
27	1 Outfall	<del>\$750</del> <b>\$900</b>
28	2 Outfalls	<del>\$1,500</del> <b>\$1,800</b>
29	3 Outfalls	<del>\$2,000</del> <b>\$2,400</b>
30	4 Outfalls	<del>\$2,500</del> <b>\$3,000</b>
31	SECTION 15. IC 13-18-20-5 IS AMENDED TO READ AS	
32	FOLLOWS [EFFECTIVE JANUARY 1, 2005], January 1, 2005]: Sec.	
33	5. For municipal permits, the annual base fee per facility is:	
34	(1) one thousand <del>five</del> <b>eight</b> hundred dollars ( <del>\$1,500</del> ) ( <b>\$1,800</b> ) for	
35	a major permit; and	
36	(2) four hundred <del>eighty</del> <b>eighty</b> dollars ( <del>\$400</del> ) ( <b>\$480</b> ) for a minor permit;	
37	plus the following annual discharge flow fee per facility:	
38	Daily Average Actual	
39	Flow in MGD	Fee
40	.001 - .05	<del>\$300</del> <b>\$360</b>
41	.051 - .1	<del>\$600</del> <b>\$720</b>
42	.101 - .2	<del>\$2,000</del> <b>\$2,400</b>



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1	.201 - .3	<del>\$4,000</del> <b>\$4,800</b>
2	.301 - .5	<del>\$5,000</del> <b>\$6,000</b>
3	.501 - 1.0	<del>\$6,000</del> <b>\$7,200</b>
4	1.001 - 2.0	<del>\$7,000</del> <b>\$8,400</b>
5	2.001 - 5.0	<del>\$8,000</del> <b>\$9,600</b>
6	5.001 - 10.0	<del>\$10,000</del> <b>\$12,000</b>
7	10.001 - 15.0	<del>\$13,000</del> <b>\$15,600</b>
8	15.001 - 30.0	<del>\$15,000</del> <b>\$18,000</b>
9	30.001 - 50.0	<del>\$20,000</del> <b>\$24,000</b>
10	50.001 - 100.0	<del>\$22,000</del> <b>\$26,400</b>

SECTION 16. IC 13-18-20-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 6. For state permits, the annual base fee per facility is:

- (1) one thousand **two hundred** dollars (~~\$1,000~~) (**\$1,200**) for a major permit; and  
 (2) four hundred **eighty** dollars (~~\$400~~) (**\$480**) for a minor permit;  
 plus the following annual discharge flow fee per facility:

18	Daily Average Actual	
19	Flow in MGD	Fee
20	.001 - .05	<del>\$240</del> <b>\$288</b>
21	.051 - .1	<del>\$360</del> <b>\$432</b>
22	.101 - .2	<del>\$840</del> <b>\$1,008</b>
23	.201 - .3	<del>\$1,200</del> <b>\$1,440</b>
24	.301 - .5	<del>\$1,680</del> <b>\$2,016</b>
25	.501 - 1.0	<del>\$2,060</del> <b>\$2,472</b>
26	1.001 - 2.0	<del>\$3,600</del> <b>\$4,320</b>
27	2.001 - 5.0	<del>\$5,400</del> <b>\$6,480</b>
28	5.001 - 10.0	<del>\$8,400</del> <b>\$10,080</b>
29	10.001 - 15.0	<del>\$12,000</del> <b>\$14,400</b>
30	15.001 - 30.0	<del>\$16,800</del> <b>\$20,160</b>
31	30.001 - 50.0	<del>\$22,800</del> <b>\$27,360</b>
32	50.001 - 100.0	<del>\$28,800</del> <b>\$34,560</b>
33	> 100.0	<del>\$34,800</del> <b>\$41,760</b>

SECTION 17. IC 13-18-20-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 7. For federal permits, the annual base fee per facility is:

- (1) one thousand **two hundred** dollars (~~\$1,000~~) (**\$1,200**) for a major permit; and  
 (2) four hundred **eighty** dollars (~~\$400~~) (**\$480**) for a minor permit;  
 plus the following annual discharge flow fee per facility:

41	Daily Average Actual	
42	Flow in MGD	Fee



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1	.001 - .05	<del>\$240</del> <b>\$288</b>
2	.051 - .1	<del>\$360</del> <b>\$432</b>
3	.101 - .2	<del>\$840</del> <b>\$1,008</b>
4	.201 - .3	<del>\$1,200</del> <b>\$1,440</b>
5	.301 - .5	<del>\$1,680</del> <b>\$2,016</b>
6	.501 - 1.0	<del>\$2,060</del> <b>\$2,472</b>
7	1.001 - 2.0	<del>\$3,600</del> <b>\$4,320</b>
8	2.001 - 5.0	<del>\$5,400</del> <b>\$6,480</b>
9	5.001 - 10.0	<del>\$8,400</del> <b>\$10,080</b>
10	10.001 - 15.0	<del>\$12,000</del> <b>\$14,400</b>
11	15.001 - 30.0	<del>\$16,800</del> <b>\$20,160</b>
12	30.001 - 50.0	<del>\$22,800</del> <b>\$27,360</b>
13	50.001 - 100.0	<del>\$28,800</del> <b>\$34,560</b>
14	> 100.0	<del>\$34,800</del> <b>\$41,760</b>

SECTION 18. IC 13-18-20-8 IS AMENDED TO READ AS FOLLOWS[EFFECTIVE JANUARY 1, 2005]: Sec. 8. For semipublic permits, the annual base fee per facility is:

(1) ~~seven nine hundred fifty~~ **(\$900)** dollars (~~\$750~~) for a major permit; and

(2) two hundred **forty** dollars (~~\$200~~) (**\$240**) for a minor permit; plus the following annual discharge flow fee per facility:

Daily Average Design

23	Flow in MGD	Fee
24	.001 - .05	<del>\$150</del> <b>\$180</b>
25	.051 - .1	<del>\$300</del> <b>\$360</b>
26	.101 - .2	<del>\$1,000</del> <b>\$1,200</b>
27	.201 - .3	<del>\$2,000</del> <b>\$2,400</b>
28	.301 - .5	<del>\$2,500</del> <b>\$3,000</b>
29	.501 - 1.0	<del>\$3,000</del> <b>\$3,600</b>
30	1.001 - 2.0	<del>\$3,500</del> <b>\$4,200</b>
31	2.001 - 5.0	<del>\$4,000</del> <b>\$4,800</b>
32	5.001 - 10.0	<del>\$5,000</del> <b>\$6,000</b>
33	10.001 - 15.0	<del>\$6,500</del> <b>\$7,800</b>
34	15.001 - 30.0	<del>\$7,500</del> <b>\$9,000</b>
35	30.001 - 50.0	<del>\$10,000</del> <b>\$12,000</b>
36	50.001 - 100.0	<del>\$11,000</del> <b>\$13,200</b>

SECTION 19. IC 13-18-20-9, AS AMENDED BY P.L.184-2002, SECTION 24, IS AMENDED TO READ AS FOLLOWS[EFFECTIVE JANUARY 1, 2005]: Sec. 9. For public water system permits, the annual base fee per facility is:

(1) one thousand **two hundred** dollars (~~\$1,000~~) (**\$1,200**) for a major permit; and





(2) four hundred ~~eighty~~ **eighty** dollars (~~\$400~~) (**\$480**) for a minor permit; plus the following annual discharge flow fee per facility based on projected daily average flow in MGD as set forth in a facility NPDES permit:

Projected Daily Average Flow in MGD	Fee
.001 - .05	<del>\$240</del> <b>\$288</b>
.051 - .1	<del>\$360</del> <b>\$432</b>
.101 - .2	<del>\$840</del> <b>\$1,008</b>
.201 - .3	<del>\$1,200</del> <b>\$1,440</b>
.301 - .5	<del>\$1,680</del> <b>\$2,016</b>
.501 - 1.0	<del>\$2,060</del> <b>\$2,472</b>
1.001 - 2.0	<del>\$3,600</del> <b>\$4,320</b>
2.001 - 5.0	<del>\$5,400</del> <b>\$6,480</b>
5.001 - 10.0	<del>\$8,400</del> <b>\$10,080</b>
10.001 - 15.0	<del>\$12,000</del> <b>\$14,400</b>
15.001 - 30.0	<del>\$16,800</del> <b>\$20,160</b>
30.001 - 50.0	<del>\$22,800</del> <b>\$27,360</b>
50.001 - 100.0	<del>\$28,800</del> <b>\$34,560</b>
> 100.0	<del>\$34,800</del> <b>\$41,760</b>

SECTION 20. IC 13-18-20-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 10. (a) For storm water permits for construction activity, a fee of one hundred dollars (~~\$100~~) shall be submitted with a notice of intent (NOI):

(b) For storm water permits for industrial activity, the annual fee is one hundred dollars (~~\$100~~):

(a) The following storm water permit fees shall be submitted with a notice of intent:

general storm water permits for construction activity	<b>\$200</b>
general storm water permits for industrial activity	<b>\$300</b>
general NPDES municipal separate storm sewer system permit	<b>\$300</b>
individual NPDES municipal separate storm sewer system permit	<b>\$500</b>
(b) For storm water permits, the annual fees are as follows:	
general storm water permits for construction activity	<b>\$200</b>
general storm water permits for industrial activity	<b>\$300</b>
general NPDES municipal separate	



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1 treatment operator certifications, the fees are as follows:

2 certification, including certificate	\$60
3 certification by examination	
4 for a new classification	\$60
5 biennial renewal fee	\$60

6 SECTION 25. IC 13-18-20.5 IS ADDED TO THE INDIANA CODE  
7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2004]:

9 **Chapter 20.5. Federal Safe Drinking Water Act**

10 **Sec. 1.** The provisions in this chapter are to defray the costs of  
11 administering activities of the federal Safe Drinking Water Act.

12 **Sec. 2.** For public water systems, the annual operation fees are  
13 as follows:

14 (1) For a community water system with more than four  
15 hundred (400) service connections, one dollar and twenty-five  
16 cents (\$1.25) per service connection.

17 (2) For a community water system with four hundred (400) or  
18 fewer service connections, the annual operation fee is five  
19 hundred dollars (\$500).

20 (3) For a nontransient noncommunity water system, the  
21 annual operation fees are as follows:

22 Number served	Fee
23 25 - 100	\$250
24 101 - 250	\$300
25 251 - 500	\$400
26 501 - 1,000	\$500
27 1,001 - 3,300	\$750
28 3,301 - 5,000	\$1,000
29 5,001 - 10,000	\$2,500
30 more than 10,000	\$5,000

31 (4) For a transient noncommunity water system, the annual  
32 operation fees are as follows:

33 Type of transient	Fee
34 noncommunity water system	
35 Groundwater	\$150
36 Purchase	\$100
37 Surface	\$300

38 **Sec. 3.** Public water system annual operation fees begin accruing  
39 January 1 of each year. The department shall assess fees not later  
40 than January 15 of each year.

41 **Sec. 4. (a)** In addition to the penalties prescribed under:

42 (1) IC 13-30-4-1;



(2) IC 13-30-4-2; and

(3) IC 13-30-5-1;

if a person does not remit a public water system annual operation fee or installment of the fee under IC 13-16-2 to the department not later than sixty (60) days after the date the fee is assessed or not later than thirty (30) days after the date the installment is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the fee or ten percent (10%) of the installment, whichever applies.

(b) A delinquency charge assessed under this section is due and payable not later than sixty (60) days after the date a fee is assessed or not later than thirty (30) days after the date an installment of the fee is due under IC 13-16-2.

Sec. 5. If a person does not remit a public water system annual operation fee or an installment of the fee under IC 13-16-2 to the department not later than ninety (90) days after the date the fee is assessed or not later than sixty (60) days after the date the installment is due, the department may pursue enforcement action under IC 13-30. However, before the department may pursue enforcement action, the department must:

(1) not earlier than sixty (60) days after the date the fee is assessed or not earlier than thirty (30) days after the installment is due; and

(2) not later than thirty (30) days before the department pursues enforcement action;

notify the person by United States mail of the fees and delinquency charges due. The notice must state that the department may pursue enforcement action for nonpayment after thirty (30) days from the date of the notice.

SECTION 26. IC 13-20-21-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 3. For solid waste permits, the application fees are as follows:

New Permit or Major Modification	
	Fee
Sanitary Landfill	<del>\$31,300</del> <b>\$37,560</b>
Construction\	
Demolition Site	<del>\$20,000</del> <b>\$24,000</b>
Restricted Waste Site	
Type I	<del>\$31,300</del> <b>\$37,560</b>
Type II	<del>\$31,300</del> <b>\$37,560</b>
Type III	<del>\$20,000</del> <b>\$24,000</b>
Processing Facility	



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1	Transfer Station	<del>\$12,150</del> <b>\$14,580</b>
2	Other	<del>\$12,150</del> <b>\$14,580</b>
3	Incinerator	<del>\$28,650</del> <b>\$34,380</b>
4	Waste Tire Storage	
5	Registration	<del>\$ 500</del> <b>\$600</b>
6	Waste Tire Processing	<del>\$ 200</del> <b>\$240</b>
7	Waste Tire	
8	Transportation	<del>\$ 25</del> <b>\$30</b>
9		Permit Renewal
10	Sanitary Landfill	<del>\$ 15,350</del> <b>\$18,420</b>
11	Construction\	
12	Demolition Site	<del>\$ 7,150</del> <b>\$8,580</b>
13	Restricted Waste Site	
14	Type I	<del>\$ 15,350</del> <b>\$18,420</b>
15	Type II	<del>\$ 15,350</del> <b>\$18,420</b>
16	Type III	<del>\$ 7,150</del> <b>\$8,580</b>
17	Processing Facility	
18	Transfer Station	<del>\$ 2,200</del> <b>\$2,640</b>
19	Other	<del>\$ 2,200</del> <b>\$2,640</b>
20	Incinerator	<del>\$ 5,900</del> <b>\$7,080</b>
21	Waste Tire Processing	<del>\$ 200</del> <b>\$240</b>
22		Minor Modification
23	Minor Modification	<del>\$ 2,500</del> <b>\$3,000</b>
24	SECTION 27. IC 13-20-21-4 IS AMENDED TO READ AS	
25	FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 4. For solid waste,	
26	the annual operation fees are as follows:	
27		Fee
28	Sanitary Landfill	
29	> 500 TPD	<del>\$35,000</del> <b>\$42,000</b>
30	250-499 TPD	<del>\$15,000</del> <b>\$18,000</b>
31	100-249 TPD	<del>\$ 7,000</del> <b>\$8,400</b>
32	<100 TPD	<del>\$ 2,000</del> <b>\$2,400</b>
33	Construction\	
34	Demolition Site	<del>\$ 1,500</del> <b>\$1,800</b>
35	Restricted Waste Site	
36	Type I	<del>\$35,000</del> <b>\$42,000</b>
37	Type II	<del>\$25,000</del> <b>\$30,000</b>
38	Type III	<del>\$10,000</del> <b>\$12,000</b>
39	Processing Facility	
40	Transfer Station	<del>\$ 2,000</del> <b>\$2,400</b>
41	Other	<del>\$ 2,000</del> <b>\$2,400</b>
42	Incinerator	



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1	>500 TPD	<del>\$35,000</del> <b>\$42,000</b>
2	250-499 TPD	<del>\$15,000</del> <b>\$18,000</b>
3	100-249 TPD	<del>\$ 7,000</del> <b>\$8,400</b>
4	<100 TPD	<del>\$ 2,000</del> <b>\$2,400</b>
5	Infectious Waste	
6	Incinerator (>7 TPD)	<del>\$ 5,000</del> <b>\$6,000</b>
7	Waste Tire Storage	
8	Registration	<del>\$ 500</del> <b>\$600</b>
9	Waste Tire Transportation	
10	Registration	<del>\$ 25</del> <b>\$30</b>
11	Groundwater Compliance	
12	Sampling (per well)	<del>\$ 250</del> <b>\$300</b>

13 SECTION 28. IC 13-20-21-6, AS AMENDED BY P.L.218-2001,  
 14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JANUARY 1, 2005]: Sec. 6. (a) For solid waste, the disposal fees are  
 16 as follows:

17		Fee
18	Solid waste disposed into a	
19	municipal solid waste landfill per ton	<del>\$ 0.10</del> <b>\$0.35</b>
20	Solid waste disposed into a	
21	nonmunicipal solid waste landfill per ton	<del>\$ 0.10</del> <b>\$0.35</b>
22	Solid waste disposed	
23	into an incinerator per ton	<del>\$ 0.05</del> <b>\$0.30</b>
24	Solid waste disposed into a	
25	construction\demolition waste site per ton	<del>\$ 0.10</del> <b>\$0.35</b>

26 (b) There is no solid waste disposal fee for solid waste disposed into  
 27 a solid waste landfill permitted to accept restricted waste solely  
 28 generated by the person to which the permit is issued.

29 SECTION 29. IC 13-22-4-3.1, AS AMENDED BY P.L.1-2001,  
 30 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JANUARY 1, 2004]: Sec. 3.1. (a) As used in this section, "acute  
 32 hazardous waste" has the meaning set forth in IC 13-11-2-1.5.

33 (b) A person that:

34 (1) in any one (1) or more calendar months of a calendar year  
 35 generates:

36 (A) more than one hundred (100) kilograms but less than one  
 37 thousand (1,000) kilograms of hazardous waste;

38 (B) less than one (1) kilogram of acute hazardous waste; or

39 (C) less than one hundred (100) kilograms of material from the  
 40 cleanup spillage of acute hazardous waste; or

41 (2) accumulates at least one thousand (1,000) kilograms of  
 42 hazardous waste or less than one (1) kilogram of acute



1 ~~hazardous waste;~~  
 2 **small quantity generator** shall, before March 1 of each year, submit  
 3 to the department on forms provided by the department a report,  
 4 containing no more than a compilation of information from the  
 5 Uniform Hazardous Waste Manifest form described in section 1(a) of  
 6 this chapter, that summarizes the person's hazardous waste shipments  
 7 during the previous calendar year.

8 (c) A: ~~person that:~~

9 (1) **large quantity generator; or in any one (1) or more calendar**  
 10 **months of a calendar year generates:**

11 (A) ~~more than one thousand (1,000) kilograms of hazardous~~  
 12 ~~waste;~~

13 (B) ~~at least one (1) kilogram of acute hazardous waste; or~~

14 (C) ~~at least one hundred (100) kilograms of material from the~~  
 15 ~~cleanup spillage of acute hazardous waste;~~

16 (2) ~~accumulates at least six thousand (6,000) kilograms of~~  
 17 ~~hazardous waste or at least one (1) kilogram of acute hazardous~~  
 18 ~~waste; or~~

19 (3) **(2) person that** is a treatment, storage, or disposal facility;  
 20 shall, before March 1 of each year, submit to the department either the  
 21 biennial report required by the United States Environmental Protection  
 22 Agency concerning the person's waste activities during the previous  
 23 calendar year, or an annual report on forms provided by the  
 24 department, containing no more than a compilation of information from  
 25 the Uniform Hazardous Waste Manifest form described in section 1(a)  
 26 of this chapter, that summarizes the person's hazardous waste  
 27 shipments during the previous calendar year.

28 SECTION 30. IC 13-22-12-2 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 2. For hazardous  
 30 waste, the application fees are as follows:

31 New Permit Application

32 Fee

33 Land Disposal	<del>\$40,600</del> <b>\$48,720</b>
34 Incinerator (per unit)	<del>\$21,700</del> <b>\$26,040</b>
35 Storage	<del>\$23,800</del> <b>\$28,560</b>
36 Treatment	<del>\$23,800</del> <b>\$28,560</b>

37 Permit Renewal or  
 38 Class 3 Modification

39 Land Disposal	<del>\$34,000</del> <b>\$40,800</b>
40 Incinerator	<del>\$21,700</del> <b>\$26,040</b>
41 Storage	<del>\$17,200</del> <b>\$20,640</b>
42 Treatment	<del>\$17,200</del> <b>\$20,640</b>



## Class 2 Modification

Class 2 Modification                      ~~\$ 2,250~~ **\$2,700**

SECTION 31. IC 13-22-12-3 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JANUARY 1, 2005]: Sec. 3. For hazardous  
waste, the annual operation fees are as follows:

## Fee

Land Disposal                      ~~\$37,500~~ **\$45,000**

Incinerator (per unit)                      ~~\$10,000~~ **\$12,000**

Storage                      ~~\$ 2,500~~ **\$3,000**

Treatment                      ~~\$10,000~~ **\$12,000**

**Large Quantity** Generator                      ~~\$ 1,565~~ **\$1,878**

**Small Quantity Generator**                      **\$300**

Postclosure Activity                      ~~\$ 1,500~~ **\$1,800**

Groundwater Compliance

Sampling at active  
facilities (per well)                      ~~\$ 1,000~~ **\$1,200**

SECTION 32. IC 13-22-12-10 IS REPEALED [EFFECTIVE  
JANUARY 1, 2005].

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